

Remarks

Request for Reconsideration

Applicants have carefully considered the matters raised by the Examiner in the outstanding Office Action but remain of the position that patentable subject matter is present. Applicants respectfully requests reconsideration of the Examiner's position based on the attached replacement sheets, the amendments to the specification, the amendments to the claims and the following remarks.

Claim Status

Claims 1 – 4, 6 – 11, and 13 – 24 are pending, claims 5 and 12 having been previously withdrawn. It is respectfully requested that if parent claim 1 is allowed, that claims 5 and 12 be reinstated.

112 Rejection

Claims 1, 3, 4, 6 and 8 stand rejected under 35 USC 112, second paragraph, and have been amended to even more clearly define set forth the invention.

Prior Art Rejection based on Klopak

Claims 1 – 4, 8 – 11, and 13 – 21 stand rejected under 35 USC 102(b) as being anticipated by Klopak. Claim 3 stands rejected under 35 USC 103(a) as being unpatentable over Klopak, and claims 6 and 7 stand rejected under 35 USC 103(a) as being unpatentable over Klopak in view of Shomawitz. These rejections, to the extent that they may be viewed as pertinent to the claims as amended, are respectfully traversed for the following reasons.

The invention as claimed presents a first inner ring having at least two fins and a second outer ring. This second ring, as shown in Figures 1 and 2, described in the specification (page 9, middle paragraph) and as now set forth in the sole independent claim, has a "continuously smooth inner lateral surface which radially faces the first deflector ring." As further described on page 16 of the specification, this smooth inner surface provides a fluid flow path for the egress of fluid back to the environment.

Klopak teaches something very different. Here, radially straight baffles 26 define grooves 27 in which "slingers 24" (annular plates) rotate. This arrangement provides what Klopak describes as a "labyrinth," and results in a fluid flow that is directed to a single radial channel 29. By contrast, the instant claimed invention provides not a series of fluid-flow obstructing baffles projecting from its second deflector ring, but a "continuously smooth inner lateral surface which radially faces the first deflector ring" (quoting both from the specification and claim 1) along which an annular flow of fluid may travel on its way back to the environment. Structurally and in term of its hydrodynamic operation, the claimed invention is quite different from Klopak, making this rejection improper.

With respect to the rejections of claims 3 under 35 USC 103(a) as being obvious in view of Klopak, and of claims 6 and 7 further in view of Shomawitz, it is respectfully noted that Klopak does not teach or suggest the applicant's claimed invention, nor does Shomawitz cure this deficiency.

Prior Art Rejection based on Keller

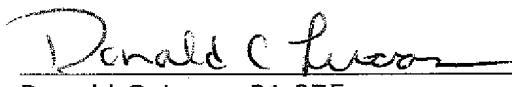
Claims 1 – 2 and 22 – 23 stand rejected under 35 USC 102(b) as being anticipated by Keller. Claim 24 stands rejected under 35 USC 103(a) as being unpatentable over Keller.

The Examiner has characterized the portions on either side of groove 16 of Keller et al. as constituting "fins", and then characterized the portion of extension 10 that it faces as meeting the limitation of the Applicant's second deflector ring. It is respectfully noted that this patent does not meet the limitations of the claims as now before the Examiner, as 10 as second deflector ring certainly does not present or suggests a "continuously smooth inner lateral surface" as claim 1 now recites. Moreover, "first deflector ring 7" of Keller teaches a single groove 16 and not fins. For at least these reasons, these rejections are inapposite and should be withdrawn.

Conclusion

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance and such action is respectfully requested. Should any extensions of time or fees be necessary in order to maintain this Application in pending condition, appropriate requests are hereby made and authorization is given to debit Account # 02-2275.

Respectfully submitted,
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